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Saugus schools keeping admissions policy Massachusetts migrant groups call unconstitutional



The Saugus School Committee is keeping its admissions policy written as is despite a call for a rewrite from a pair of migrant advocacy groups. (Herald file photo)



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The Saugus School Committee says it won't be following a demand from migrant advocates to rewrite the district's admissions policy, a decision a pair of groups argue is unconstitutional.

"As far as our (admissions) policy, we will continue as always," School Committee Chairman Vincent Serino said at [last week's meeting](#). "As some of you might've seen in the news about Saugus and the stories about migrants, frankly they are just not true."

Saugus was thrust into the [spotlight](#) of the continuing [Massachusetts migrant crisis](#) earlier this month when Lawyers for Civil Rights and Massachusetts Advocates for Children [ordered](#) the North Shore district to revise the [policy](#) that requires students to be "legal residents whose actual residence is in Saugus."

In an Aug. 15 letter to the School Committee, the groups called members out for exceeding "statutory authority by impermissibly denying enrollment to children whose families do not complete the Town of Saugus Census."

"In addition, the Policy's overly-stringent residency and proof-of-identity requirements place an undue burden on immigrant and mixed-status families," the letter stated, "violating rights guaranteed under both the U.S. and Massachusetts Constitutions."

Saugus enrolled 23 students living in the state's emergency shelter system last school year; figures from the state Department of Elementary and Secondary Education show. Some 72 families resided in the system — shelters, hotels and motels — in June.

Lawyers for Civil Rights and Massachusetts Advocates for Children said they're "aware of at least two cases, both involving immigrant families, where SPS's illegal requirement impeded children's enrollment and resulted in substantial time out of school."

Under the policy, written two days after Gov. Maura Healey declared a state of emergency last August over the migrant influx, families must produce proof of residency, occupancy and identity with acceptable documents such as a Massachusetts driver's license or photo ID card, a U.S. passport or another government-issued photo ID.

The superintendent could require more documentation and investigate if questions arise.

"No child who actually resides in Saugus will be denied access to school because of his or her immigration status or the immigration status of his or her parent(s)/guardian(s)," the policy further reads.

Speaking of the issue at Thursday's meeting, Serino said the district's policy is written similarly to those in other Massachusetts towns and cities.

"Our policies ensure our students are residents of Saugus and not surrounding communities," he said. "We owe that to our students, teachers, support staff and taxpayers. As with all of our policies, these are vetted before we go to vote on them, and our policies align with a bunch of other Massachusetts communities. It's not different."

Public schools across the United States must enroll homeless students living in the district unless they opt to remain in their "school of origin" under the federal McKinney-Vento Act, the language of which is included in the Saugus policy.

State education officials in a [March 2022 letter](#) to school leaders across the Commonwealth outlined how "districts should enroll students and begin educating them as quickly as possible," with the anticipation that "many newcomer and refugee students will lack the paperwork that districts ordinarily require for enrollment."

Saugus' policy "runs afoul of these laws," Lawyers for Civil Rights and Massachusetts Advocates for Children argued in their letter to the School Committee.

"The Town Census requirement, for example," the groups wrote, "is unlawful not only because it is beyond the school committee's authority to impose, but also because it disproportionately harms immigrant families.

"It is well established that recent anti-immigrant sentiments have created a chilling effect," they added, "making immigrant and mixed-status families less likely to participate in census questionnaires, due to stigma, fear of immigration consequences or even the threat of violence."